IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.1063 OF 2004
IN
NOTICE OF MOTION NO._____ OF 2004
IN
S.C. SUIT (LODG.) NO.5482 OF 2004

| Office Notes, Office Memoranda of Coram, appearances, Court's Order or Directions and Registrar's Orders | Court's or Judge's Orders |
|---|---|

Mr.Sanjay Jain i/b L.S. Jain for Appellant
Mr.S.R. Shinde with S.N. Gawde for Respondent No.5

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **DECEMBER 7, 2004**

. The order impugned is an order passed by the trial Court in a Notice of Motion. The trial Court has refused leave under section 80 of Civil Procedure Code and the plaint has been returned for presenting it after complying with the requirements of section 80(1) of C.P.C. This is not an appealable order under Order 43 Rule 1 of C.P.C. Hence, Appeal from Order rejected.